

#8

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN
OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number:
074451.P127

First named inventor: Edward L. Schwartz

Application No.: 09/784,928

Art Unit: 2621

Filed: February 15, 2001

Examiner: Unknown

Title: MEMORY USAGE SCHEME FOR PERFORMING WAVELET PROCESSING

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF
THIS APPLICATION UNDER 37 CFR 1.137(b)

1. Petition fee

- ☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity – fee \$1,300.00 (37 CFR 1.17(m)).
- ☐ The Director is hereby authorized to charge the indicated fees and credit any overpayments to
Deposit Account No. 02-2666.
- ☒ Fee is enclosed.

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is December 11, 2001.

05/23/2003 CNGUYEN 00000010 09784928

01 FC:1453

1300.00 OP

(Page 1 of 2)

SEND COMPLETED FORM TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 05/13/03

MAY 23 2003

OFFICE OF PETITIONS

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

5/20/03

Date



Signature

Telephone

Number: (408) 720-8300

Michael J. Mallie

Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

12400 Wilshire Blvd.

Seventh Floor

Los Angeles, CA 90025

Telephone Number: (408) 720-8300

36,591

Registration No.

Enclosures: ☒ Fee Payment

☐ Additional Sheets containing statements establishing unintentional delay

☒ Other: Submission of Petition for Revival

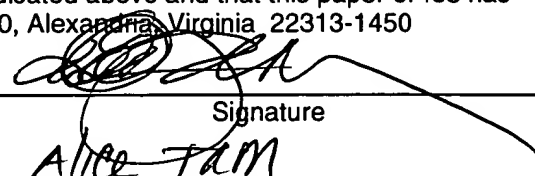
"Express Mail" mailing label number: EV336584531 US

Date of Deposit: May 20, 2003

I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

5/20/03

Date



Signature

Alice TAM

Typed or printed name of person signing certificate

[Page 2 of 2]

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MAY 23 2003

OFFICE OF PETITIONS



FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) 1300.00

Complete if Known:

Application No. 09/784,928

Filing Date February 15, 2001

First Named Inventor Edward L. Schwartz

Group Art Unit 2621

Examiner Name Unknown

Attorney Docket No. 074451.P127

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
☐ Money Order
☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1001	750	2001	375	Utility application filing fee	
1002	330	2002	165	Design application filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional application filing fee	
SUBTOTAL (1) \$ 0					

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	<u> </u>	- 20** = <u> </u>	X <u> </u>	= <u> </u>
Independent Claims	<u> </u>	- 3** = <u> </u>	X <u> </u>	= <u> </u>
Multiple Dependent	<u> </u>		<u> </u>	= <u> </u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) \$ 0					

RECEIVED

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>		
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	_____
1252	410	2252	205	Extension for reply within second month	_____
1253	930	2253	465	Extension for reply within third month	_____
1254	1,450	2254	725	Extension for reply within fourth month	_____
1255	1,970	2255	985	Extension for reply within fifth month	_____
1401	320	2401	160	Notice of Appeal	_____
1402	320	2402	160	Filing a brief in support of an appeal	_____
1403	280	2403	140	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,300	2453	650	Petition to revive - unintentional	<u>1300.00</u>
1501	1,300	2501	650	Utility issue fee (or reissue)	_____
1502	470	2502	235	Design issue fee	_____
1503	630	2503	315	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	750	2809	375	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	750	2810	375	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	750	2801	375	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,300	1454	1,300	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

SUBTOTAL (3) \$ 1300.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Michael J. Mallie

Signature: _____

Date: 5/21/03Reg. Number: 36,591Telephone Number: 408-720-8300**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: 5-21-03

Name: _____

Alice Tam

01/01/03

- 2 -

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MAY 23 2003

OFFICE OF PETITIONS



FEE TRANSMITTAL FOR FY 2003

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Complete if Known:

Application No. 09/784,928
Filing Date February 15, 2001
First Named Inventor Edward L. Schwartz
Group Art Unit 2621
Examiner Name Unknown
Attorney Docket No. 074451.P127

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Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

☒ [X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ [] Applicant claims small entity status. See 37 CFR 1.27

2. ☒ X Payment Enclosed: ☒ X Check
Money Order
Other

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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SUBMITTED BY:Typed or Printed Name: Michael J. Mallie

Signature: _____

Date: 5/27/03Reg. Number: 36,591Telephone Number: 408-720-8300**FIRST CLASS CERTIFICATE OF MAILING**

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Date: 5-20-03

Name: _____

Alice Tam

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MAY 23 2003

01/01/03

- 2 -

OFFICE OF PETITIONS



05-22-03

DAC

SUBMISSION OF PETITION FOR REVIVAL

Docket Number:

074451.P127

First named inventor: Edward L. Schwartz

Application No.: 09/784,928

Art Unit: 2621

Filed: February 15, 2001

Examiner: Unknown

Title: MEMORY USAGE SCHEME FOR PERFORMING WAVELET PROCESSING

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

5/10/03
Date
Signature

Telephone

Number: (408) 720-8300

Michael J. Mallie

Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

12400 Wilshire Blvd.

Seventh Floor

Los Angeles, CA 90025

Telephone Number: (408) 720-8300

36,591

Registration No.

This correspondence is being sent via express mail (Express Mail No. EV336584531US).**RECEIVED**

MAY 23 2003

OFFICE OF PETITIONS